

## Report on Person Under Supervision - Court Decision Requested

Person Under Supervision: Sergio Antonio Pena Cortes Case No.: 3:20-CR-00546(3)  
Name of Sentencing Judge: U.S. District Judge Karen Gren Scholer  
Date of Original Sentence: May 20, 2022  
Original Offense: Conspiracy to Launder Monetary Instruments, in violation of 18 U.S.C. § 1956(h), a Class C felony.  
Original Sentence: 24 months custody, followed by a 2-year term of supervised release  
Type of Supervision: Supervised Release Date Supervision Commenced: August 5, 2022  
Assistant U.S. Attorney: Joseph Andrew Magliolo Defense Attorney: Michael Philp Levine  
(Retained)

**Notification To The Court For Cause As Follows:**

I.

The following information/request is being presented for the Court's review and decision:

Sergio Antonio Pena Cortes was released from the Federal Bureau of Prisons (BOP) on August 5, 2022, to the Middle District of Florida, where he is supervised by USPO Nicolas Shea (USPO Shea). At the time of sentencing, the Court suspended the drug testing condition, imposed the standard conditions of supervision, and imposed a fine of \$15,000.

On September 29, 2023, Mr. Cortes filed a Pro Se Motion for Early Termination of Supervised Release, pursuant to 18 U.S.C. §3583(e)(1). According to USPO Shea, Mr. Cortes has been compliant with his terms of supervised release. He has been gainfully employed as a driver by Uber and Doordash, and he recently obtained his piloting license after completing a certification course. Mr. Cortes has a stable residence in Deland, Florida, where he lives alone. A criminal records check completed on October 24, 2023, revealed no new arrests, and no prior criminal history for Mr. Cortes. USPO Shea advised he has had previous discussions with Mr. Cortes regarding his desire to seek employment as a pilot outside of the United States, which is the basis for his request for early termination. USPO Shea further indicated he has no objections to Mr. Cortes' request.

Pursuant to Rule 32.1(c) of the Federal Rule of Criminal Procedure, the Office of the U.S. Attorney was advised of our plan to request an early termination of supervision ten business days prior to submission to the Court. On November 17, 2023, Assistant United States Attorney, Linda Requenez advised the government is *opposed* to this early term request. She recognized that Mr. Cortes has completed over half of his two-year term; however, she indicated the government believes that supervised release is an important part of his sentence and that he should be required to complete his term in full.

**II.**

The probation officer recommends the following action for the Court to consider:

Mr. Cortes has not presented any identified risk of harm to the public, and his progress on supervision indicates he has met the threshold for consideration for early termination from supervision. Therefore, it is respectfully recommended that Mr. Cortes be discharged from supervision.

I declare under penalty of perjury that  
the foregoing is true and correct.

Executed on November 27, 2023  
Respectfully submitted,

Approved,


s/Jeanne Williams  
U.S. Probation Officer  
Dallas Division  
Phone: 945-219-7004

s/LaToya Vaughn  
Supervising U.S. Probation Officer  
Phone: 214-517-8917

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**Order of the Court:**

- ☒ Agrees with the recommendation of the probation officer.
- ☐ Disagrees with the recommendation of the probation officer.
- ☐ Directs the probation officer to submit a request for modifying the conditions or term of supervision.
- ☐ Directs the probation officer to submit a request for a warrant or summons.
- ☐ Other or Additional:
- ☐ File under seal until further order of the Court.



Karen Gren Scholer  
United States District Judge

December 14, 2023

Date

JW

\* Attachment